

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMAR WALKER,

Plaintiff,

v.

UNKNOWN MARTIN, et al.,

Defendants.

Case No. 2:22-cv-85

HON. JANE M. BECKERING

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ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendant Curtis filed a Motion for Summary Judgment (ECF No. 33). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on August 9, 2024 (ECF No. 43), recommending that this Court grant in part and deny in part the motion, find that a genuine issue of material fact exists on Plaintiff's Eighth Amendment claims against Defendant Curtis in his individual capacity, and dismiss Plaintiff's claims for monetary damages against Defendant Curtis in his official capacity. The Report and Recommendation was duly served on the relevant parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 43) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 33) is GRANTED IN PART AND DENIED IN PART. Plaintiff's claims for monetary damages against Defendant Curtis in his official capacity are DISMISSED.

Plaintiff's Eighth Amendment claims for monetary damages against Defendant Curtis in his individual capacity, and Plaintiff's claim for declaratory and injunctive relief in Defendant Curtis's official capacity remain in this case.

Dated: September 6, 2024

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge